



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q81024

Shigeharu URABE

Appln. No.: 10/820,724

Group Art Unit: 2879

Confirmation No.: 8989

Examiner: Shariene L. LEURIG

Filed: April 9, 2004

For: EL PHOSPHOR POWDER AND EL DEVICE

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, FUJI PHOTO FILM CO., LTD., represents that the petitioner is the owner of the entire right, title and interest of U.S. Application No. 10/682,532, filed on October 10, 2003, for EL PHOSPHOR POWDER AND EL DEVICE by virtue of an Assignment from all of the inventors thereof executed on January 26, 2004, as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/820,724 by virtue of an Assignment from all of the inventors thereof executed on July 7, 2004, recorded on July 26, 2004, at Reel 015610, Frame 0032.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/820,724 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application No. 10/682,532, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/820,724 shall be enforceable only for and during such period

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TERMINAL DISCLAIMER
U.S. Appln. No. 10/820,724

that the legal title to any patent issuing from U.S. Application No. 10/682,532 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/820,724, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/820,724 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/820,724 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application No. 10/682,532 in the event that any patent issuing from U.S. Application No. 10/682,532 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: July 25, 2005

Vincent A. Haski

General Manager
Title: Intellectual Property Technology Div.